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TO: United States Patent and Trademark Office
EXAMINER: Anuradha Ramana
FACSIMILE NO.: 571.273.8300
OUR REF.: HEMOSTA.022C1
YOUR REF.: Application No. 10/827,101, filed on April 19, 2004
TITLE: METHOD OF SPINAL FIXATION USING ADHESIVE MEDIA
FROM: Walter S. Wu
OPERATOR: Teri Yama NO. OF PAGES: 5 (incl. cover sheet)
DATE: July 21, 2005 TIME:

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Docket No.: HEMOSTA.022C1

July 21, 2005
Page 1 of 1

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AMENDMENT / RESPONSE TRANSMITTAL

Applicant : Julius G. Hammerslag
App. No : 10/827,101
Filed : April 19, 2004
For : METHOD OF SPINAL FIXATION
USING ADHESIVE MEDIA
Examiner : Ramana, Anuradha
Art Unit : 3732

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(Date)
Walter S. Wu
Walter S. Wu, Reg. No. 50,816

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing in the above-identified application is the following enclosure:

- (X) Summary of Interview in 3 pages.
- (X) Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Walter S. Wu
Walter S. Wu
Registration No. 50,816
Attorney of Record
Customer No. 20,995
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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Julius G. Hammerslag
Appl. No. : 10/827,101
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Group Art Unit : 3732

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(Date)



Walter S. Wu, Reg. No. 50,816

SUMMARY OF INTERVIEW

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Summary of Interview begins on page 2 of this paper.

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Appl. No. : 10/827,101
Filed : April 19, 2004

SUMMARY OF INTERVIEW

Exhibits and/or Demonstrations

NONE

Identification of Claims Discussed

Applicant and Examiner discussed Claims 19, 34, 44, and 45.

Identification of Prior Art Discussed

U.S. Patent No. 3,030,951 to Mandarino was discussed with the Examiner.

Proposed Amendments

Applicant proposed to amend Claim 19 by replacing the term "space" with "facet joint".

Principal Arguments and Other Matters

The Examiner stated that upon further review of previously allowed Claim 19, she did not believe that the claim was patentable over U.S. Patent No. 3,030,951 to Mandarino. Applicant believes that Mandarino fails to teach accessing a space between a first facet on a superior articular process of a first vertebra and a second facet on a corresponding inferior articular process of a second vertebra and does not believe that the any amendment is required to overcome the Mandarino reference. However, in order to expedite allowance of the application, Applicant has agreed to amend Claim 19 by replacing the term "space" with "facet joint" by way of an Examiner's amendment. Applicant, however, reserves the right to pursue claims of similar subject matter in a continuation application.

The Examiner objected to Claims 34, 44, and 45. Applicant agreed to cancellation of these claims to expedite allowance, but believes these claims are allowable and fully supported in the specification. Applicant reserves the right to pursue these claims or claims of similar subject matter in a continuation application.

Results of Interview

As memorialized in the Examiner's Amendment dated June 20, 2005, Applicant and the Examiner agreed to amend Claim 19 to replace the term "space" in lines 2 and 6 of the claim with "facet joint" and to cancel Claims 34, 44 and 45.

Applicant also agrees with the additional minor typographical changes to Claim 12 as provided in the Examiner's Amendment.

Appl. No. : 10/827,101
Filed : April 19, 2004

BEST AVAILABLE COPY**REMARKS**

Applicant respectfully submits that above statements reflect the substance of the telephone interview of June 20, 2005. If the does not believe that the above statements are complete or accurate, Applicant invites the Examiner to contact the Attorney of Record at the telephone number listed below.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 7/21/05

By: 

Walter S. Wu
Registration No. 50,816
Attorney of Record
Customer No. 20,995
(949) 760-0404

AMEND

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